

REMARKS:

This communication is in response to the detailed office action dated May 28, 2004. The Applicants wish to thank the Examiner for finding the subject matter of claims 4, 5, 7, and 8 to be allowable.

IN THE CLAIMS

In this office action, the Examiner rejected all the pending claims, claims 1-9, under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese patent no. JP 3-225015 to Yoshikawa (hereinafter “Yoshikawa”). Claims 2, 3, and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshikawa in view of U.S. patent no. 1,985,240 to Brubaker (hereinafter “Brubaker”). Finally, the Examiner stated the subject matter of claims 4, 5, 7, and 8 would be allowed if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

The Applicants have amended claim 1 to clarify the subject matter of the claim. The Applicants believe this clarification overcomes the rejection under 35 U.S.C. § 112, second paragraph, and respectfully request the rejection be removed. The Applicants also amend claim 1 to include the allowable subject matter of claim 8, rendering the rejection under 35 U.S.C. § 102(b) moot. In light thereof, the Applicants respectfully request the rejection be removed and the claim allowed.

The Applicants have added new claim 10. No new matter has been added.

IN THE SPECIFICATION

The Applicants have become aware of a typographical error in the specification. Inadvertently, throughout the specification reference numeral 27 was referred to as “second *inlet* hole 27.” As clearly evident from the Figures and disclosure, as will be appreciated by one of ordinary skill in the art, this should have read “second *outlet* hole 27.” The disclosure of element 27 routinely refers to coolant being “discharged through” and “discharged to the thermostat assembly S through” the second *inlet* hole 27. *See* Present Application, paragraphs [0032] and [0035]. Clearly the recitation of *inlet* was in error as the structure is unequivocally for discharging, and therefore, should have been labeled an *outlet*. Therefore, Applicants amend paragraphs [0031], [0032], and [0035] to accurately represent the structure as otherwise described in the specification and depicted in the Figures. No new matter has been added.

In view of the foregoing remarks and amendments, it is believed that the application as a whole is in form for allowance. Should the Examiner have any continuing objections or concerns, the Examiner is respectfully asked to contact the undersigned at 415-442-1106 in order to expedite allowance of this case. Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0106).

Respectfully submitted,

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